

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DORIAN CLEVELAND BROWN,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No. CV 06-S-414-S
)	
THE ATTORNEY GENERAL FOR)	
THE STATE OF ALABAMA, et al.,)	
)	
Respondents.)	

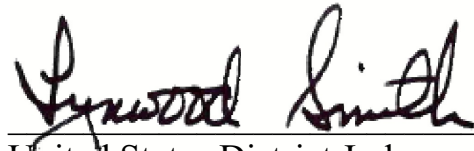
MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on September 11, 2006, recommending that the petition for writ of habeas corpus be dismissed without prejudice to petitioner's right to file another habeas petition based on the same facts after exhausting available state court remedies. On September 22, 2006 petitioner's copy of the findings and recommendation was returned by the Postal Service stamped "RETURN TO SENDER-NO SUCH NUMBER-UNABLE TO FORWARD." Petitioner has not provided a change of address to the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation, the Court is of the opinion that the magistrate judge's findings are due to be and they hereby are ADOPTED, and his

recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED without prejudice. A Final Judgment will be entered.

DONE this 19th day of October, 2006.



United States District Judge